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5 UNITED STATES DISTRICT COURT  
6 DISTRICT OF NEVADA

7 \* \* \*

8 UNITED STATES OF AMERICA, )

9 Plaintiff, )

10 vs. )

11 TIMOTHY LOREN MORTENSEN, )

12 Defendant. )  
13

2:11-CR-00095-RLH-CWH

**ORDER**

(Motion Pursuant to 28 U.S.C. § 2255 To  
Vacate, Set Aside or Correct Sentence  
By A Person in Federal Custody-#74)

14 Before the Court is Defendant's **Motion Pursuant to 28 U.S.C. §2255 To Vacate, Set**  
15 **Aside or Correct Sentence By A Person in Federal Custody** (#74, filed September 16, 2013)  
16 and the Court will exercise its authority under that section to refer this matter to the United States  
17 Attorney for a response to the Motion.

18 IT IS THEREFORE ORDERED that Defendant's **Motion Pursuant to 28 U.S.C. §2255**  
19 **To Vacate, Set Aside or Correct Sentence By A Person in Federal Custody** (#74) is hereby  
20 REFERRED to the UNITED STATES ATTORNEY for a response within forty-five (45) days of  
21 the entry this Order. Defendant will then have fifteen (15) days thereafter to file a reply to the  
22 response of the United States Attorney, and the matter will be referred for decision.

23 DATED: September 18, 2013.

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26 **Roger L. Hunt**  
**United States District Judge**